Before the Federal Communications Commission Washington, D. C. 20554

FCC 07M-39 06629

| In the Matter of |) | EB Docket No. 07-197 | OCT 1 1 2007 |
|--|------|----------------------------|--------------|
| Kurtis J. Kintzel, Keanan Kintzel, and |) | File No. EB-06-IH-5037 | |
| all Entities by which they do business |) | FRN: 0007179054 | FUU |
| before the Federal Communications |) | | |
| Commission |) | | |
| |) | | |
| Resellers of Telecommunications Services |) | NAL/Acct. No. 200732080029 | |
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Issued: October 10, 2007 Released: October 11, 2007

On October 9, 2007, Motion to Intervene As A Party was filed and submitted to the Presiding Judge by the National Association of State Utility Consumer Advocates ('NASUCA"). The Motion was filed pursuant to Section 1.223(b) of the Commission's Rules of Practice [47 C.F.R §1.223(b).]

NASUCA is a voluntary association of forty consumer advocates in forty one states and the District of Columbia. NASUCA's members operate independently of state utility Commissions, and serve as advocates for residential ratepayers.

The Commission's rules provide that petitions to intervene may be considered by a presiding administrative law judge if filed not later than 30 days after publication of the designated issues in the *Federal Register*. See 47 C.F.R. §1.223(b). Order to Show Cause and Notice of Opportunity for Hearing (FCC 07-165) ("Show Cause Order") was published in the Federal Register on September 29, 2007. (FR 72 at 54911) The Motion is timely and will be considered on its merits. An appropriate pleading cycle is established below.

Accordingly, IT IS ORDERED that the Prehearing Conference set for October 11, 2007, IS CANCELLED¹ and RESET for **November 15, 2007 at 9:30 a.m.** in Hearing Room TWA-363.

IT IS FURTHER ORDERED that the designated parties Kurtis J. Kintzel and Keanan Kintzel (the "Kintzels"), and the Enforcement Bureau SHALL FILE any Opposition pleadings and/or Comments by October 22, 2007.

¹ See Order FCC 07M-32, released September 12, 2007.

Finally, IT IS URGED that the Kintzels retain legal representation for this proceeding as soon as practicable.

FEDERAL COMMUNICATIONS COMMISSION²

Richard L. Sippel

Chief Administrative Law Judge

² Courtesy copies of the *Order* are being e:mailed and/or faxed to all parties and to NASUCA on the date of issuance.